

**United States Extractive Industries Transparency Initiative Multi-Stakeholder Group
Advisory Committee Meeting
June 10-11, 2014**

Summary of Proceedings

U.S. Department of the Interior
Prepared: June 2014

I. Introduction

The U.S. Department of the Interior (DOI) convened the tenth meeting of the U.S. Extractive Industries Transparency Initiative (EITI) Multi-Stakeholder Group Advisory Committee (MSG) on June 10-11, 2014 in Washington, DC. The purpose of the meeting was to obtain updates on the work of the Implementation, State and Tribal Opt-In, and Communications and Outreach Subcommittees and move forward with efforts to advance from candidate to compliant country status under the EITI requirements. Presentations and discussions during the two days included the following:

- **Welcoming remarks** by Reah Suh, DOI
- **Remarks by Secretary of the Interior**, Sally Jewell, DOI
- **Reporting Period** presentation by Curtis Carlson, U.S. Treasury Department
- **Contextual Narrative / Publically Available Information** presentation by Betsy Taylor, Virginia Polytechnic Institute and State University
- **Project & Company Level Reporting** presentation by Paul Bugala, Calvert Investments
- **Reconciliation of Federal Corporate Income Tax Payments** presentation by Curtis Carlson, U.S. Treasury Department
- **Dear Payor Letter** presentation by Debbie Tschudy, DOI
- **Dear Reconciler Letter** presentation by Susan Ginsberg, Independent Petroleum Association of America
- **Communications Materials and Outreach** presentation by Jerry Gidner, DOI
- **State and Tribal Opt-In** presentation by Mia Steinle, Project on Government Oversight, and Chris Mentasti, Office of Natural Resources Revenue
- **Wyoming Pilot Opt-In** presentation by Mia Steinle, Project on Government Oversight
- **Update on procurement process for the Independent Administrator** comments by Greg Gould, DOI
- **Update on the Charter renewal process, filling vacancies on the MSG, publishing a federal register notice, and the scheduling and location of the December MSG meeting** comments by Judith Wilson, DOI
- **International EITI Update** by Marti Flacks, U.S. State Department
- **State and Tribal Opt-In Subcommittee** report by Greg Conrad, Interstate Mining Compact Commission

- **Communications and Outreach Subcommittee** report by Veronika Kohler, National Mining Association
- **Implementation Subcommittee** report by Greg Gould, DOI
- **Contextual Narrative Working Group** report by Aaron Padilla, American Petroleum Institute
- **USEITI Communications** discussion facilitated by Patrick Field, Consensus Building Institute
- **Updated Country Work Plan** discussion facilitated by Greg Gould, DOI

II. Summary of Action Items and Decisions

Action Items

- **Overall, Steps to be Complete by September MSG Meeting:**
 - Present refined, prioritized, focused options for outstanding issues (taxes, account period, project, other)
 - Advance state and tribal outreach and opt-in dialogue
 - Finalize (or preferably affirm) scope for contextual narrative
 - Share and be implementing communications plan for 2014
 - Consider Paperwork Reduction Act implications for reconciliation requests/needs
 - Prepare to inform and engage Independent Administrator
- **Co-Chairs:**
 - Track subcommittee tasks
 - Address issues as they arise
 - Review June MSG meeting minutes
 - Discuss Independent Administrator interactions with MSG
 - Develop agenda for September MSG meeting
- **DOI:**
 - Explore the legality of creating letterhead from the MSG
 - Establish what the rules are for funding travel, at least for CSO sector, in working with tribes and sub-nationals as part of outreach process
- **State/Tribal Subcommittee:**
 - Screen publicly sourced data
 - Prepare letter to Governor and submit to MSG
 - Identify who submits letters to Governors
 - Identify key contacts from MSG
 - Further tribal discussions in Subcommittee
 - Maintain outreach list, including contacts already completed, in order to coordinate outreach within MSG and avoid duplication
 - *Consider contextual narrative on state audits (referral to Contextual Narrative WG)*
- **Communications Subcommittee:**

- Complete and arrange for sending letters for Unilateral Disclosure (to payor contacts) and for reconciled companies (to CEOs), including options from whom the letter would come
- Complete collection of existing communication tools (fact sheets, etc.) and refine existing or add new
- Refine communications long-term goal (per discussion on Day 2)
- Refine and deepen communications plan by specific audience, intent, messages, tools and messenger
- Explore possibility with DOI of USEITI letterhead to be used when and as appropriate
- Obtain advice from sectors on communications plan
- Task/advise various individuals, organizations, sectors on their various responsibilities
- **Taxes and Reporting Period working group:**
 - Draft questions to ask International Secretariat
 - Use State Department as needed
 - Gather questions from State/Tribal Subcommittee as well
 - Host subcommittee meeting with Intl Secretariat, as appropriate
 - Brainstorm options for reporting taxes
 - Develop proposal regarding reporting period
 - Define risks for compliance on period/taxes
 - Develop mechanics of gathering/reporting tax data
- **Project Level working group**
 - Scope, research and begin to undertake how data will be used at the state and local level
 - Identify Trade Secrets Act-specific concerns
 - Review Dodd-Frank 1504 process and its effects on decision
 - Consider potential to achieve equivalency with EU
 - Consider precedents
 - Consider how level of reporting could affect complexity and use of EITI reconciliation report
- **Contextual Narrative working group:**
 - Solicit input from MSG members in each sector regarding priorities for the Contextual Narrative such that sector representatives are equipped to move forward with finalizing outline of Contextual Narrative
 - Resolve final orange, outstanding language
 - Convene for one-day meeting to complete work
 - Share with Implementation Subcommittee
 - Share with sectors
 - Identify any outstanding unresolvable language (remain orange)
 - For “Required” language, has to be resolved to greatest extent possible

- For “Recommended” language not agreed upon, note the sectors views, and forward to IA for advice, as appropriate, or in other ways gather data to inform MSG on the matter
- **Work Plan working group:**
 - Convene work group
 - Review draft work plan
 - Refine draft work plan
- **CBI:**
 - Edit Contextual Narrative document per MSG discussion
 - Create summary from Communications discussion
 - Update Action Items slide deck
 - Provide documents developed during the meeting, including draft meeting summary
- **Mike Matthews, State of Wyoming:**
 - Provide MSG with link for Wyoming’s legal loose leaf services that keep updated versions of regulations, bills, laws, etc.

Decisions

- The MSG charged the Outreach and Communications Subcommittee with further revising the Dear Payor letter and then recommended ONRR issue the letter.
- The MSG charged the State and Tribal Opt-in Subcommittee with proceeding with its work on the basis of the 18 target states that the Subcommittee had identified.
- The MSG approved the April 2014 MSG meeting summary.
- The MSG created the Workplan Working Group under the Implementation Subcommittee.

III. Day 1 Presentations and Key Discussion Points: June 10, 2014

Ms. Reah Suh, Designated Federal Officer (DFO), U.S. Department of the Interior (DOI), opened the meeting and welcomed participants. She noted that the MSG is making continued progress after getting its candidacy application approved and that this June meeting would involve a lot of substantive work. She asked for introductions around the room and on the webinar. Ms. Suh introduced the Secretary of the Interior, Ms. Sally Jewell, and indicated that the Secretary wanted to make some comments to the MSG.

A.) Remarks by Senior Government Official(s)

See addendum at <http://www.interior.gov/eiti/FACA/upload/USEITI-June-2014-MSG-Mtg--ADDENDUM-Transcription-of-Sec-Jewell-s-remarks.pdf> for a full transcript of Secretary Jewell’s remarks.

Secretary Jewell thanked MSG members for the time and effort that they are putting into the work and their accomplishment in getting the United States accepted as a candidate country to EITI. She noted that the work is not easy and comes on top of everyone’s other responsibilities. Secretary Jewell also spoke to the importance of the United States joining EITI in terms of setting an example around the world in favor of

transparency and accountability. She noted that the Department of the Interior has made its own evolution in recent years in favor of greater transparency and that the Department, and the country, is better for it. She also shared that, while her background is largely in the business world, she has worked with and represented the civil society and government sectors as well. Secretary Jewell stated that, while the information that the MSG seeks may not always be easily available at the level of detail that it may desire, it is more important to get the big picture right and to be credible to the public and to the international community than it is to fixate on getting minute details. She closed by thanking the MSG members again for their work.

Ms. Suh recognized Ms. Marti Flacks and Mr. Bob Cekuta, both of the U.S. Department of State, for their work in support of the MSG and their guidance through the candidacy process. She also noted the importance of the relationships that MSG members have built with one another to push forward with their work. Ms. Suh reminded people that the meeting is being recorded and that the meeting would be facilitated and a meeting summary would be produced by the Consensus Building Institute. Ms. Kim Oliver, Office of Natural Resources Revenues, provided a safety briefing and announced the breakout rooms.

B.) Subcommittee Report Outs & Discussion

The MSG received update reports from various subcommittees and working groups, as summarized below.

Implementation Subcommittee – Reporting Period Working Group

Mr. Curtis Carlson, Department of the Treasury, provided an update on the work of the Taxes and Reporting Period working group, a working group of the Implementation Subcommittee. He explained the reporting periods used by other entities, including the calendar year, fiscal year, and financial year, and noted that EITI provides no guidance on defining a reporting period. Mr. Carlson also recounted the considerations that the Working Group is taking into account in terms of making a recommendation on defining a reporting period: start/stop date, fixed or variable by entity, comparability between entities, ability to reconcile between transparency initiatives, motivates maximum level of compliance, and must apply to sovereign & industry input/output as well as reconciliations.

Mr. Carlson explained that the Working Group is considering three options: a fixed reporting period, as defined by the MSG; an industry-defined variable reporting period; and a sovereign-defined variable reporting period. The first option, an MSG-defined, fixed reporting period would require accommodation and adjustment to different degrees by different parties, with companies bearing more of the adjustment burden if the reporting period is not aligned with the calendar year and the government bearing more of the adjustment burden if the reporting period is aligned with the calendar year. The second option, an industry-defined variable reporting period, would encourage companies to participate in reporting and would be likely to be in compliance with

Dodd-Frank and EU/UK laws, because companies would report the same information to USEITI as they report under those laws and would therefore minimize reconciliation issues between initiatives, but would require sovereign entities (such as states) to report data at the company level. The third option, a sovereign-defined variable reporting period, would minimize the reporting burden on states and other sovereign entities but would discourage compliance among companies due to the burden imposed on them of restating data from calendar years to non-calendar years, and would likely lead to reconciliation issues between other initiatives, such as Dodd-Frank and EU/UK directives. The slides used for Mr. Carlson's presentation are available at the following URL: <http://www.doi.gov/eiti/FACA/upload/Reporting-Period-Presentation.pdf>.

MSG members had the following comments in response to Mr. Carlson's presentation (*responses are indicated in italics*):

- Ms. Veronika Kohler, National Mining Association, asked if there is a reporting structure that could simultaneously accommodate and align the Dodd-Frank, federal unilateral disclosure, and independent reconciliation schedules. *Mr. Carlson responded that the schedules for Dodd-Frank and federal unilateral disclosure are not aligned and so there is no proposal that could accomplish this.*
- Mr. John Harrington, Exxon Mobil Corporation, suggested that it would be preferable to report in a manner that would minimize confusion, which means that there would ideally be only one reporting basis for both the DOI unilateral disclosure and the reconciliation process to avoid different payment totals from the two initiatives. *Mr. Paul Bugala, Calvert Investments, pointed out, however, that there will inevitably be a mismatch between the numbers reported under the government's unilateral disclosure, which includes 100% of the payments that the government receives, and the numbers reported under reconciliation, which includes only 80% or 90% of revenues due to the materiality threshold. Mr. Carlson added that the MSG would have to be precise and careful about how it frames its reporting under any system that it adopts.*
- Mr. Greg Gould, Department of the Interior, said that the Office of Natural Resource Revenues (ONRR) faces this dilemma around reporting, trying to get numbers to match up, and explaining its reporting every year. He agreed that the numbers would be unlikely to match up, due to various factors including the materiality threshold, and added that, since the unilateral disclosure would include over 99% of the revenues ONRR collects, the MSG should focus on ensuring that the figures reported in that section are clear and coherent.
- Mr. Brent Roper, Rio Tinto, suggested that there may not be a significant difference in the figures reported under the federal government's October-to-September calendar and most companies' fiscal year calendars, since these are only three months apart. *Mr. Greg Gould, DOI, responded that people generally have greater difficulty understanding discrepancies between figures that are close than they do between figures that are vastly different.*
- Ms. Laura Sherman, Transparency International-USA, suggested that the federal government, as a singular entity, should be able to manipulate its data as

needed and therefore should be able to be flexible about how it reports its figures. *Mr. Gould responded that the government can report its data for independent reconciliation on any calendar but that it would want to report its data for unilateral disclosure on a government fiscal-year schedule. This is important in order for the data to match up with other reports released by the Interior Department, which are all reported under the government's fiscal year. Ms. Debbie Tschudy, Department of the Interior, added that these other reports are financial statements that are audited annually by the Office of Financial Management and an independent auditor.*

- Mr. Michael Ross, Revenue Watch Institute, asked how difficult it would be to bring different companies that have different reporting calendars into alignment. *Mr. Brent Roper, Rio Tinto, responded that, while most public companies follow a calendar-year schedule, there are some private companies that may not follow the same calendar and these private companies would be the most difficult to convince to participate in USEITI.*
- Ms. Veronika Kohler, National Mining Association, suggested that the MSG should make an effort to find a solution such that the numbers reported under different transparency initiatives for the extractives industry all match up.
- Mr. John Harrington, Exxon Mobil, noted that almost all companies, with the possible exception of some privately-held firms, align their fiscal year with the calendar year. He said that companies work very hard to close their books by the end of the year and that it would be difficult to have to open them back up.
- Mr. Michael Ross, Revenue Watch Institute, observed that the MSG is considering reporting under EITI while also trying to take Dodd-Frank and EU rules into consideration. He suggested that, in the long-run, all of these initiatives would need to come into alignment and that, especially in an international framework, it would likely be best to align around using the calendar year.
- Ms. Rachel Milner Gillers, facilitator from the Consensus Building Institute, summarized and closed the discussion by noting that the Implementation Subcommittee will need to decide on a recommendation around the reporting period and would also need to consider how information reported under different reporting schedules would be communicated to the public.

Implementation Subcommittee – Contextual Narrative / Publicly Available Information Working Group

Ms. Betsy Taylor, Virginia Polytechnic Institute and State University, provided an update on the work of the Contextual Narrative / Publicly Available Information working group, a working group of the Implementation Subcommittee. She reviewed the history of the working group, noting that the working group has evolved to have two work streams: data scoping and developing an outline for the USEITI's report's contextual narrative. Ms. Taylor explained that the data scoping process requires consideration of how extensive different data sources are and whether and how they can be used considering the capacity and resources available to USEITI. She also noted that the

working group had discovered that many databases are not interoperable. In terms of the contextual narrative, Ms. Taylor stated that the figures reported by USEITI would need to be reported and presented in a way that would be relevant to diverse users for diverse applications. She chronicled that the USEITI report would contain different types of information: primary data that is produced by the USEITI process, other publicly available data that USEITI includes in its report and on its website, and pathfinders to direct users to other sources of publicly-available data. Ms. Taylor added that the working group is still working on developing an outline for the contextual narrative, and could present this to the MSG on the second day of the MSG meeting. The slides used for Ms. Taylor's presentation are available at the following URL:
<http://www.doi.gov/eiti/FACA/upload/Contextual-Narrative-Presentation.pdf>.

Ms. Taylor, stepping out of her role as a representative of the Contextual Narrative working group and speaking for herself, suggested that the USEITI website could become a critical resources that could reflect well on all three sectors participating in the EITI process if the MSG is meticulous in carrying out a data-driven assessment process along each step of the value chain and thinking carefully about the needs of the end user.

Mr. Aaron Padilla, American Petroleum Institute and member of the Contextual Narrative working group, added that the working group has faced some challenges in terms of coming to agreement around how much background information about the extractives sector the contextual narrative can and should provide and which data sources should be included. He stated that a key challenge was to keep the report from becoming unwieldy.

MSG members had the following comments in response to the Contextual Narrative working group's presentation (*responses are indicated in italics*):

- Ms. Reah Suh, U.S. DOI, thanked the working group members for their update report and noted that the discussion around the contextual narrative is closely related to the previous discussion about reporting periods, as the reporting periods that the MSG decides upon would need to be explained and contextualized in the report. She also suggested that the focus on the report should be on releasing the data to the public to manipulate and use as opposed to trying to perfect the data or to interpret the data for end users.
- Ms. Veronika Kohler, National Mining Association, thanked the working group for their work and expressed concern that the working group did not come to the meeting with a completed outline for the contextual narrative, particularly since the MSG is only holding four meetings in 2014.
- MSG members considered the options for the contextual narrative working group to move forward with its work, agreeing that the working group would work on the outline during the afternoon time allocated for subcommittee meetings and would report back on its work directly to the MSG.

Implementation Subcommittee – Project & Company Level Reporting Working Group

Mr. Paul Bugala, Calvert Investments, provided an update on the work of the Project & Company Level Reporting working group, a working group of the Implementation Subcommittee. He explained that the working group has been considering the following parameters as it seeks to develop a recommendation around project and company level reporting:

- EITI Standard – reporting should be in compliance with EITI standards, as stated in §5.2b.
- USEITI Application – reporting should be in accordance with the terms articulated in the application that was submitted by USEITI.
- USEITI Independent Administrator TOR – reporting should be in accordance with the terms of reference (TOR) promulgated by the MSG for the Independent Auditor.
- Related legal reporting requirements – reporting should be aligned with reporting under other protocols, including Dodd-Frank, EU/UK, and other emerging protocols.
- Best practice – reporting should reflect emerging best practice, as developed by other EITI countries, by corporations, and by others.
- Use of data – reporting should be maximally useful to the public and other end users.

Mr. Bugala also laid out future work for the working group as it seeks to develop a recommendation around project and company level reporting for the MSG's consideration:

- Develop a stronger understanding of how USEITI data will be used at the state and local levels.
- Identify specifics regarding Trade Secrets Act concerns and how this would impact project-level and company-level reporting.
- Identify how the Section 1504 process of the Dodd-Frank Act affects the decision on project-level and company-level reporting.
- Explore the potential to achieve equivalency with existing EU law.
- Explore the precedents the USEITI process may set, as the process and the product must deliver value to the public and to other stakeholders.
- Explore how the level of reporting may affect the complexity and use of the USEITI reconciled report, particularly such that the information reported is tractable for end users.

The slides used for Mr. Bugala's presentation are available at the following URL:

<http://www.doi.gov/eiti/FACA/upload/Project-Level-Presentation.pdf>.

MSG members had the following comments in response to the Project & Company Level Reporting working group's presentation (*responses are indicated in italics*):

- Mr. John Harrington, Exxon Mobil, stated that this issues comes down to the level of granularity that is useful for analyzing and deriving conclusions from data

- and that companies should only be asked to report to the level of granularity that would actually be useful. In addition, he suggested that, if data is already available in other locations, that USEITI seek to minimize the redundancy of reporting requirements, particularly at the project level for companies with many projects across the United States.
- Ms. Danielle Brian, Project on Government Oversight, suggested that, although the MSG does not fully know which companies would be involved in reporting, many would be subject to European Union reporting, and so providing the same information for USEITI reporting should not be too burdensome.
 - *Mr. John Harrington, ExxonMobil, responded that this would be most relevant to companies that are domiciled in the EU and also have US operations, such as Shell or BP. US-based companies with operations in the EU are only required to report on entities that exist in those countries and affiliates that are registered in those countries. As a result, only a very limited universe of numbers for US-based companies would be required under the EU rules.*
 - *Mr. Paul Bugala, Calvert Investments, responded that the issues of coverage under reporting requirements are not fully clear to him, in terms of which portion of their revenues companies are required to report on when they are domiciled in a country versus when they are listed on a stock exchange in a country, and that this will need to be explored further.*
 - *Mr. Jim Roman, ConocoPhillips, noted that 50% of owner reporters who would be subject to USEITI reporting would not be subject to EU reporting requirements and those EU requirements are not relevant for most independent producers.*
 - *Ms. Veronika Kohler, National Mining Association, added that coal companies operating in the US are generally not subject to EU requirements.*
 - Ms. Debbie Tschudy, US DOI, shared data with the MSG about how many companies and projects would be included in the first two USEITI reports: in the first reconciled report, 44 companies (those with over \$50 million per year in revenues) would report on over 26,150 leases. In the second reconciled report, 77 companies (those with over \$20 million per year in revenues) would report on 35,154 leases.
 - Mr. Paul Bugala, Calvert Investments, suggested that, while the decisions around project-level and company-level reporting should be made in the context of the various considerations that he outlined earlier in his presentation, particularly in terms of what would be useful for stakeholders and the general public.
 - Ms. Veronika Kohler, National Mining Association, inquired how much the working group had considered how reporting-level would apply to the US government's unilateral disclosures.
 - *Mr. Greg Gould, US DOI, responded that the government intends to provide unilateral disclosure at the company level, to the extent allowed*

by law. Going deeper than the company level implicates too much data to be manageable and useful.

- *Mr. Mike Matthews, State of Wyoming, added that people are only interested in rolled-up figures, not with all of the details at the project or individual site level.*
- *Ms. Danielle Brian, Project on Government Oversight, asked Mr. Gould to clarify the government's intention on unilateral disclosure, as she had previously understood that the government would be disclosing to the full extent allowed under the law.*
- *Mr. Gould clarified that disclosure would be at the company level, to the full extent allowed by law, as going deeper than this would implicate so much data that it would not be useful to the public. He expressed openness to continuing to explore this issue for future reports and when the MSG reaches agreement on the definition of a Project, will report at that level as agreed to in our application*

Implementation Subcommittee – Reconciliation of Federal Corporate Income Tax Payments

Mr. Curtis Carlson, Department of the Treasury, provided an update on the work related to taxes of the Taxes and Reporting Period working group, a working group of the Implementation Subcommittee. He explained that, in order to reconcile corporate income tax payments, three basic steps would need to be taken: create a format by which corporate tax payers can report on their payments to the Independent Administrator, corporate tax payers would need to give permission to the US Internal Revenue Service (IRS) to report their tax payment information to the Independent Administrator, and a format will need to be created by which the Independent Administrator can report on the reconciled income tax information in the USEITI report.

Mr. Carlson proceeded to outline the manner in which tax payments and tax refunds could be reconciled as part of USEITI, with corporate tax payments and refunds being identified in the IRS accounting system by various accounting codes. Mr. Carlson also illustrated how business groups, particularly those that file consolidated tax returns for the extractive industry firms and non-extractive industry firms under their ownership (a company must own at least 80% of another company in order to file a consolidated tax return), would report their tax payments to the Independent Administrator. Notably, for those companies that file consolidated tax returns covering both extractives and non-extractives business units, it would be difficult to break out the extractives portion of their tax liability for reporting purposes.

Mr. Carlson laid out the next steps for the Taxes and Reporting Period working group around taxes. He said that the working group had already made good progress in identifying IRS accounting codes to track relevant tax payments and refunds, and that the working group needed to reach final agreement on these accounting codes and to continue working out the details of the potential disclosure process. Second, he said

that the MSG would need to reach a consensus on whether corporate tax payments as outlined above should be included in the reconciliation process as well as finalize the IRS disclosure process. And third, the MSG will need to determine how tax payment information will be reported out by the Independent Administrator, particularly around the question of whether tax information will be reported at the consolidated group level or at a different aggregate level, such as majority ownership. The slides used for Mr. Carlson's presentation are available at the following URL:
<http://www.doi.gov/eiti/FACA/upload/Corporate-Tax-Payment-Reconciliation-Presentation.pdf>.

MSG members had the following comments in response to Mr. Carlson's presentation (*responses are indicated in italics*):

- Ms. Veronika Kohler, National Mining Association, asked about how a company filing consolidated returns that incurs losses, including in its overseas business units, would report on its tax returns. *Mr. Carlson responded that the firm would file consolidated tax returns, including any losses that it incurs.*
- Mr. Brent Roper, Rio Tinto, reminded the MSG that it is not possible to separate and pull out tax payments solely for those companies or business units that are involved in the extractives industries in the case of firms that file consolidated tax returns. As a result, companies may not comply with the tax reporting provisions of EITI.
- Ms. Betsy Taylor, Virginia Polytechnic Institute and State University, asked whether the working group, or the US Treasury, has a methodology of differentiating between companies working in the extractives industries and those that are not in the extractives industries. *Mr. Carlson responded that, no, for tax reporting purposes, when a company files consolidated returns or has business units in both the extractives and the non-extractives industries, it is not possible to separate and pull out tax payments solely for those companies or business units that are involved in the extractives industries.*
- Ms. Rebecca Morse, Revenue Watch Institute, asked how the list of consolidated entities expected to report income tax payments overlaps with the list of expected revenue reporters. *Mr. Carlson responded that he could not speculate on how consolidation for tax reporting would impact how the number of tax reporters would compare with the number of revenue reporters.*
- Mr. Aaron Padilla, American Petroleum Institute, stated that there would be a significant challenge in convincing the Chief Financial Officers and Vice President Controllers of reporting companies to sign off on reporting their tax revenues to EITI, particularly because the tax payments will include both extractive and non-extractive businesses and business units, and because the corruption problem that EITI is seeking to address in other countries is not a concern in the United States. In addition, companies will be very hesitant to authorize the IRS to release their tax payment data to the Independent Administrator. Taxes are a particularly difficult category of data to convince companies to include in reporting and reconciliation.

Outreach and Communications Subcommittee

Ms. Veronika Kohler, National Mining Association, reported that the Subcommittee has created two working groups: one to create a Dear Payor letter and a second to create outreach and communications material.

Outreach and Communications Subcommittee – Dear Payor Letter Working Group

Ms. Debbie Tschudy, Department of the Interior, explained that the working group has created a draft Dear Payor letter in order to inform companies that ONRR is intending to unilaterally disclose Federal natural resources revenue data by company, commodity, and revenue stream. The letter provides companies with the opportunity to review ONRR's consolidation of Payor Codes to a parent company level. Ms. Tschudy noted that sending a Dear Payor letter is a routine process that ONRR uses to communicate with companies. She noted that the working group and the Outreach and Communications Subcommittee would like to have the MSG approve the Dear Payor letter so that it could be mailed out by the end of June.

The draft Dear Payor letter is available at the following URL:

<http://www.doi.gov/eiti/FACA/upload/Draft-EITI-Dear-Payor-Letter.pdf>.

MSG members had the following comments in response to Ms. Tschudy's presentation (*responses are indicated in italics*):

- Mr. Greg Gould, DOI, clarified that the US Government will provide unilateral disclosure at the company-level in the pilot report for the first report and will explore project-level reporting for subsequent years after receiving clarification on that from the MSG. *Ms. Veronika Kohler, National Mining Association, responded that the government's potential move to project-level reporting under unilateral disclosure is a good reason for the government to participate in the discussions around project-level reporting.*
- Mr. Michael LeVine, Oceana, asked whether the Dear Payor letter should state that unilateral disclosure may move to project-level reporting in the future or whether another letter would need to be sent out if unilateral disclosure is done at the project-level in the future.
 - *Ms. Debbie Tschudy responded that until now, ONRR has only reported at the national level or at the state level and that it is a pretty big step for ONRR to report at the company level. She asked other MSG members for input as to whether it would be prudent to inform companies that disclosure would move to an even more granular level in the future.*
 - *Ms. Veronika Kohler, National Mining Association, suggested that ONRR could send out another letter in the future, as and when the unilateral disclosure process changes, and may want to send letters annually as the USEITI process evolves.*
- Mr. Brent Roper, Rio Tinto, asked whether ONRR has a deadline for getting input on ONRR's consolidation of Payor Codes.

- *Ms. Debbie Tschudy responded that the letter has been carefully structured and worded such that the government is not requesting information so as not to trigger the Paperwork Reduction Act. She asked Solicitor Wenger whether including a deadline would make the letter into a request.*
- *Mr. Lance Wenger, DOI Solicitor's Office, explained that, instead of requesting information, the letter is structured to give companies the opportunity to comment on the consolidation of Payor Codes. The letter could give companies a timeframe for contacting the government, but ONRR would have to structure the language carefully so that the letter does not request that they provide information.*
- *Ms. Susan Ginsberg, Independent Petroleum Association of America, suggested that the letter not include a deadline, but rather encourage companies to provide input on Payor Codes to make sure that their input is taken into account.*
- Mr. Jim Roman, ConocoPhillips, noted that these Dear Payor / Dear Reporter letters are a common form of correspondence that are sent out routinely by ONRR.
 - Mr. Greg Gould, ONRR, rearticulated this point.
- Ms. Rhea Suh, DOI, inquired how aware members of industry outside of the MSG members would likely be about the letter and whether any informal outreach had already been conducted to put the letter in context.
 - *Mr. John Harrington, Exxon Mobil, responded by saying that he doubted that the vast majority of recipients were aware of EITI. He suggested that the letter could say something like "DOI has been considering a greater level of disclosure for some time" so that the greater degree of disclosure is not seen as just a result of EITI.*
 - *Mr. Greg Gould, DOI, responded that while DOI was already thinking about making its data more transparent and user friendly, EITI has been the impetus to report at a company or project level.*
- Ms. Susan Ginsberg, Independent Petroleum Association of America, asked about a discussion that the working group had previously had to include language about passing the letter along to a company executive. *Ms. Debbie Tschudy, DOI, responded that the working group had discussed cc'ing CEOs on the letter but that ONRR does not know who those executives are. She added that the working group had also discussed the industry trade associations getting the word out about this letter in order to raise its profile.*
- Ms. Veronika Kohler, National Mining Association, asked about how similar this communication is to other letters that are sent out by ONRR and if there is some way to better distinguish it. *Ms. Debbie Tschudy, DOI, responded by expressing openness to suggestions on how to highlight the letter, but it will look like one of ONRR's standard Dear Reporter letters. She said that ONRR could send out an email blast flagging the letter and again requested that MSG, through trade associations, get the word out about the letter.*

- Ms. Veronika Kohler, National Mining Association, said that the Communications Subcommittee is looking for approval of the Dear Payor letter and asked if MSG members are okay with tabling Michael LeVine's suggestion to indicate USEITI's possible future move towards project-level unilateral disclosure.
 - Mr. Greg Gould asked, for the purpose of expediency, whether the MSG would charge the Outreach and Communications Subcommittee with further revising the Dear Payor letter and then charge ONRR with issuing the letter.
 - *Ms. Danielle Brian, Project on Government Oversight, seconded the motion.*
 - *Mr. Paul Mussenden, DOI, heard no objections and approved the motion.*
- **Decision: The MSG charged the Outreach and Communications Subcommittee with further revising the Dear Payor letter and then charge ONRR with issuing the letter.**

Outreach and Communications Subcommittee – Dear Reconciler Letter

Ms. Susan Ginsberg, Independent Petroleum Association of America, described a Dear Reconciler letter the working group has started discussing that would be directed at company CEOs, with a copy also going to the agents who received the Dear Reporter letter. She explained that the working group is trying to determine who should sign the Dear Reconciler letter, with possibility being to have a representative from each of the three sectors sign the letter. Industry members of the working group would like to have a high-ranking government official sign the letter, but government sector is saying that will not be possible. The Dear Reconciler letter would include more detail than the Dear Reporter letter, including details on EITI, how reporting will work, the importance of complying with EITI, who is on the MSG, and what information other companies are being asked to provide. Ms. Ginsberg reported that the working group is not yet sure whether the letter will request a response from companies. If companies have any questions, the letter would ask them to contact the Independent Administrator. The Dear Reconciler letter would be sent after the December 2014 MSG meeting.

Outreach and Communications Subcommittee – Materials and Outreach

Mr. Jerry Gidner, Department of the Interior, reported on the work of a working group under the Outreach and Communications Subcommittee to create materials for outreach and to conduct outreach. He recounted that the working group has designated a website page for outreach materials: <http://www.doi.gov/eiti/FACA/comms-subcommittee.cfm>. He also reported that the working group is compiling a comprehensive list of EITI benefits from the outreach materials, which the working group will refine before presenting it to the full MSG. Finally, the working group is developing a list of items for inclusion in a communications package, with items possibly varying by the intended audience. The slides used for Mr. Gidner's presentation are available at the following URL: <http://www.doi.gov/eiti/FACA/upload/Outreach-and-Communications-Presentation.pdf>.

State & Tribal Opt-in Subcommittee

Ms. Mia Steinle, Project on Government Oversight, and Mr. Chris Mentasti, Office of Natural Resources Revenue, presented information around which states are of greatest importance in terms of extractives industry revenues. This information informs USEITI's choosing of opt-in states to participate in the USEITI program in order to meet EITI requirements on reporting of sub-national revenues.

Ms. Steinle and Mr. Mentasti presented to the MSG the top five states in each of the following categories: top federal royalty revenues, FY 2013; top oil producers, 2013; top natural gas producers, 2012; top coal producers, 2012; top non-fuel mineral producers by value, 2013 (includes minerals such as gold, copper, iron ore, and zinc, among others); and top recipients of severance tax (by both total revenue and as a percentage of total state tax revenue). They noted that many of the same states repeatedly appear on these different lists. Mr. Jerry Gidner, Department of the Interior, explained that the subcommittee also looked at the list of Native American tribes to which ONRR pays royalty revenues and categorized these by the states in which those tribal lands are located. Mr. Gidner noted that the decision of a tribe to opt into USEITI would be completely separate from the decision of a state to opt into USEITI. Lastly, Ms. Steinle showed a map of the United States with symbols displaying which of the states are listed as one of the top-five in the previously-reviewed categories (e.g. top royalty revenues, top oil producers, top recipients of severance tax, etc.). She noted that, due to the high degree of overlap between these states, the universe of possible state participants in USEITI could be narrowed down to 18 states. As such, the Subcommittee's proposal is that, in order for the United States to meet its commitment for subnational reporting, USEITI would have participation from all 18 of these states.

Ms. Danielle Brian, Project on Government Oversight, added that the Subcommittee is looking for MSG comment, and approval, of its methodology for choosing among the states for opt-in.

The slides used for Ms. Steinle's and Mr. Mentasti's presentation are available at the following URL: <http://www.doi.gov/eiti/FACA/upload/State-Opt-In-Presentation.pdf>.

MSG members had the following comments in response to Ms. Steinle's and Mr. Mentasti's presentation (*responses are indicated in italics*):

- Ms. Rebecca Adamson, First Peoples Worldwide, inquired as to how the Subcommittee considered energy producing tribes in Alaska, and whether the Subcommittee considered native corporations in that state. She noted that Alaska and North Dakota are missing from the list of "states with most energy/mineral tribes," which then causes the list to seem incomplete. *Mr. Gidner responded that Alaskan tribes were not included on ONRR's list of distributees of royalty payments, and therefore they were not included in this analysis. Ms. Danielle Brian, Project on Government Oversight, added that the Subcommittee considered this data not simply to identify the tribes that are most*

active in the extractives industries, but also to narrow down the universe of tribes to look at for potential future opt-in to USEITI.

- Ms. Betsy Taylor, Virginia Polytechnic Institute and State University, and Mr. Keith Romig, United Steelworkers, both noted that there are commodities, such as renewable energy sources, crushed stone, clay, etc. that are within the scope of EITI and that they have not been included in the Subcommittee's analysis. *Ms. Mia Steinle responded that these other commodities could be incorporated into future analyses, if the MSG decides to go in that direction, and that there would likely be a lot of overlap between the states with significant revenues derived from those commodities and the 18 states already included in the current analysis.*
- Mr. Michael Ross, Revenue Watch Institute, said that he appreciates and approves of the methodology used by the Subcommittee to narrow the list of states for opt-in consideration.
- Mr. Michael LeVine, Oceana, asked how the Subcommittee decided to include the top 5 states in each category, as opposed to a different number, such as the top 7 or top 10. *Ms. Mia Steinle responded that initially, the Subcommittee looked at the top 10 states, but this added significantly more states to the list without significantly adding to marginal revenues. Narrowing each list to the top 5 states made the overall list of states more manageable to deal with because there is significant overlap between the states included in that criterion.*
 - Mr. Greg Conrad, Interstate Mining Compact Commission, added that narrowing the list to a tractable number of states is a good strategy.
- Ms. Betsy Taylor, Virginia Polytechnic Institute and State University, stated that the 18 states included constitute almost 80% of extractive mineral value, so the MSG will be able to present a defensible methodology to the EITI International Secretariat.
- Mr. John Harrington, Exxon Mobil, volunteered his understanding that USEITI will be in compliance with EITI standards as long as the former is pursuing these 18 states to join USEITI, not only after all 18 states have joined USEITI. He added that each of the states will have considerable complexity in joining USEITI, in reporting revenues, etc. *Ms. Danielle Brian, Project on Government Oversight, expressed agreement with Mr. Harrington and added that USEITI would no longer need adapted implementation once these 18 states join USEITI.*
- Ms. Danielle Brian, Project on Government Oversight, also recounted that the State and Tribal Opt-in Subcommittee also discussed whether each state would need to create its own MSG and reached the conclusion that each state would not have to do so and that the national USEITI MSG could work with the states directly.
 - *Ms. Veronika Kohler, National Mining Association, cautioned that the systems in each state can vary significantly and the states may not want to accept all of the decisions made by the national MSG. As such, the states may want to, or need to, create their own MSGs.*

- *Ms. Danielle Brian, Project on Government Oversight, suggested that the MSG will have to reach out to the states to better understand how they want to handle this issue.*
 - Mr. Greg Gould, DOI, said that USEITI is not required to have any states join USEITI within the next two years. It would be great to have a state participate in the second USEITI report, but even that second report does not need to have any state data reconciled to be in compliance with EITI standards as per USEITI's adapted implementation provisions. He added that it would be very helpful to hear from some states about how they would like to participate in this process.
 - Ms. Betsy Taylor, Virginia Polytechnic Institute and State University, cautioned that the MSG should be careful about making decisions that on behalf of the states, as this could create a negative dynamic.
 - Ms. Rebecca Adamson, First Peoples Worldwide, inquired to confirm that the MSG would not be deciding on tribal involvement in USEITI based only on the data presented by Mr. Jerry Gidner about which states have the most energy/mineral tribes. *Ms. Danielle Brian, Project on Government Oversight, confirmed that the MSG would not be deciding on this basis.*
 - Ms. Danielle Brian, Project on Government Oversight, put forward a motion to charge the State and Tribal Opt-in Subcommittee proceed on the basis of the 18 target states that the Subcommittee had identified.
 - Mr. Greg Gould, DOI, provided a second for the motion, which was approved.
- **Decision: The MSG charged the State and Tribal Opt-in Subcommittee with proceeding with its work on the basis of the 18 target states that the Subcommittee had identified.**

Ms. Mia Steinle, Project on Government Oversight, presented information about the State and Tribal Opt-in Subcommittee's exploration of using the State of Wyoming as a pilot state for the opt-in process. She explained that, as the first step in the opt-in process, the Subcommittee proposes to gather publicly available online data from each of the 18 states it identified for inclusion and identify the gaps present in the publicly-available information. For the State of Wyoming, the Subcommittee gleaned and reviewed data from various publicly-available data sources, including the Wyoming Department of Revenue, the Wyoming State Geological Survey, the Wyoming Oil and Gas Conservation Commission, and the Wyoming Mining Association. Ms. Steinle identified the diverse types of information available from these various sources, details of which can be found in her presentation:

<http://www.doi.gov/eiti/FACA/upload/Wyoming-Public-Data-Presentation.pdf>.

Ms. Danielle Brian proposed the following next steps for the State and Tribal Opt-in Subcommittee:

- Ask MSG members to identify their state/tribal contacts in each of the 18 material states and compile these contacts in a central, shared location.

- Present research on publicly-available information for each state that the Subcommittee has conducted to the state/tribal contacts and identify possible data gaps.
- Determine the level of interest in USEITI opt-in and focus on those states/tribes with the greatest enthusiasm.
- Work with the enthusiastic states/tribes to set materiality thresholds and other parameters for reporting.

MSG members had the following comments in response to Ms. Steinle's and Ms. Brian's presentation (*responses are indicated in italics*):

- Mr. Michael LeVine, Oceana, asked if the Wyoming data presented by Ms. Steinle covers only state lands or whether it includes federal lands also. *Mr. Mike Matthews, State of Wyoming, responded that the data only includes severance tax collected for production in Wyoming, not for production on federal lands located in Wyoming. In addition, there are also royalties collected by the State of Wyoming for production on state lands. He added that, in addition to the severance tax that goes to the state, which is included in the research conducted by the Subcommittee, there is also an ad valorem tax by which an approximately-equal amount of money as the severance tax is designated to the local county.*
 - *Mr. Greg Gould, DOI, added that the federal government disburses 49% of federal revenue collection for minerals back to the states.*
- Ms. Deborah Rogers, Energy Policy Forum, asked whether there is any overlap between state and federal data. *Mr. Greg Gould, DOI, responded that there is no overlap.*
- Mr. Jim Roman, ConocoPhillips, clarified that the Wyoming severance taxes and the *ad valorem* taxes cover federal, state, and private lands.
- Mr. Mike Matthews, State of Wyoming, confirmed that the Wyoming severance taxes and the *ad valorem* taxes cover federal, state, and private lands. He also clarified that there are separate taxable values for state severance taxes and for federal taxes.
- Mr. Paul Bugala, Calvert Investments, suggested that it may be useful to identify the government constituencies in each of the 18 states.
- Ms. Betsy Taylor, Virginia Polytechnic Institute and State University, cautioned that the MSG should be careful about how it is framing its work and outreach to the states. She cautioned that if the MSG were to approach a state and say that it has already compiled and analyzed the state's data, that could be perceived as being condescending. Instead, it may be better to give states a platform to showcase their data work to their peers. *Ms. Danielle Brian, Project on Government Oversight clarified that the Subcommittee did not intend to take that sort of approach, but instead to perform some background work to make it easier for states to sign up. The MSG has sent letters out to states in the past but did not hear anything back.*

- Mr. Keith Romig, United Steelworkers, suggested that communication with the states should start with Governor's offices, and he also suggested that the MSG be careful about how it frames gaps in state data.

Mr. Paul Mussenden, acting DFO, adjourned the MSG meeting at 2:10 pm.
Subcommittee meetings were held until 4:30 pm.

Ms. Judith Wilson, acting DFO, reconvened the MSG meeting at 4:30 pm.

IV. Day 1 Public Comment: June 10, 2014

The following public comments were made on June 10, 2014:

- Mr. Dominic Eagleton, with Global Witness, which also sits on the International EITI Board as an alternate member. I'm based in the London office. I have three points to make around project definition and project-level reporting. The first point is that the EU has legislation requiring extractive companies to disclose their payments to all levels of government on a project-level basis. That definition was reached through an inclusive, multi-stakeholder process bringing together companies, civil society, and government. We arrived at a definition that does what it was intended to do but is also provides flexibility to companies. To quickly go over the definition: Project means "operational activities that are governed by a single contract, license, lease, concession, or other legal agreement and form the basis of payment liabilities to the government. Nonetheless, if multiple such agreement are substantially interconnected, this shall be considered a project." So, there's flexibility in there for companies. Some of the companies sitting around this table, such as Exxon, Shell, and Rio Tinto, were involved in further multistakeholder process in the UK looking at the format for reporting this data, and that's going in a progressive and constructive way. All want to note that all EU member states are required by law to embed this into their national laws and they have no leeway to change the core requirements of the directives. If they tried to change the definition of project, they would be breaking the law. That is the law in 28 member states and in Norway as well. The point is that, if we have a consistent standard, a level playing field for business, then other jurisdictions will have to meet that standard. One final point: UK EITI has just adopted project-level reporting as its standard. There are two forms of revenue that have to be reported: petroleum revenue tax and license fees. That's the UK EITI standard now. Thank you.
- Isabel Munilla, Oxfam America. I've been really pleased to see the progress of this process and have a practical suggestion to make. There's a useful body of knowledge around how companies are already defining "project" and I would recommend that the MSG look at the Tullow Disclosures and State Oil Disclosures for those companies that are covered under EU rules and will be reporting under the UK standard that is set to be finalized later this year, having them submit what their internal thinking on how they will be reporting will be extremely useful and an efficient use of time.

Ms. Judith Wilson, Acting DFO, adjourned the meeting on June 10 at 4:40 pm.

V. Day 2 Presentations and Key Discussion Points: June 11, 2014

Mr. Paul Mussenden, acting Designated Federal Officer (DFO), U.S. Department of the Interior (DOI), opened the meeting at 9:40 am and welcomed participants. He reviewed the agenda for the day and meeting attendees identified themselves and their affiliations.

A.) USEITI MSG Business

Mr. Paul Mussenden, DOI, asked whether any MSG members had any comments on the draft meeting summary from the April 2014 MSG meeting. Hearing no comments, Mr. Mussenden moved to approve the meeting summary and Mr. John Harrington, Exxon Mobil, seconded the motion. The MSG approved the April 2014 MSG meeting summary.

➤ Decision: The MSG approved the April 2014 MSG meeting summary.

Mr. Greg Gould, DOI, provided an update on the procurement process to bring the Independent Administration on board for a target date of September 2014. He shared that the procurement team at DOI has kept the process on schedule. Currently, the procurement team has received a sufficient number of quotes to move forward with the procurement process. The package has gone to the technical evaluation team, which will now make a recommendation to the contracting officer on the selection of the Independent Administrator by June 23. By July 3, the contracting officer will begin their process, and by July 18, the Solicitor's Officer will get involved. By July 25, the contracting officer will send out a Congressional notice as required. The goal is that the contract is awarded by July 31, followed by a series of background investigations, which will take four to six weeks. The Independent Administrator should be on board by the middle-to-end of August, and the Independent Administrator will join these meetings starting in September.

Mr. Paul Mussenden, DOI, indicated that Ms. Judith Wilson, DOI, will provide an update on USEITI business, on behalf of the USEITI Secretariat. Ms. Wilson relayed that USEITI is on schedule for the charter renewal process. USEITI is also on schedule for filling the vacancy left by Mr. Walter Retzsch, American Petroleum Institute. The Secretariat is also working to prepare the Federal Register notice for the state and tribal opt-in candidates in order to have new members in place for the September MSG meeting. She reported that the November meeting has been moved to December 10-11 and the Secretariat is looking for a different room to hold that meeting.

Ms. Veronica Slajer, North Star Group, asked when the Federal Register notice will be published. *Ms. Judith Wilson responded that the notice should be published in a couple of weeks.*

Ms. Marti Flacks, US State Department, provided an update on the EITI International situation. She reported that the next International Board meeting is scheduled for July 1-2 in Mexico City with the hope that the Mexican government will announce its intention to implement EITI. That meeting will review the candidacy of Burma. If Burma's candidacy is accepted, then the next International Board meeting will be in Burma. There is also a challenging case on the horizon for EITI, as the Democratic Republic of the Congo is facing the end of its 5-year candidacy period this summer. The International Secretariat is reviewing the country's candidacy and will decide how to proceed if it does not come into compliance. Australia finished its pilot process experimenting with EITI domestically. The report and recommendations are not public yet, but Ms. Flacks said that she would share them with the US MSG once they are. Australia's experience could provide useful lessons for the United States since it is also a developed country. The United Kingdom is next in line to join EITI among G8 countries and it will likely submit its candidacy application by the October Board meeting. A number of other G8 countries are on track to submit their candidacy applications next year. Finally, the EITI Board is discussing how to deal with the new EITI standards.

B.) Subcommittee Report Outs & Discussion

Subcommittee representatives provided updates on their discussions from the previous afternoon.

State and Tribal Opt-In Subcommittee:

Mr. Greg Conrad, Interstate Mining Compact Commission, recounted that the Subcommittee discussed what opt-in means, how to approach early discussion with potential sub-national members, and next steps. He stated that the Subcommittee agreed that the MSG should be welcoming and enticing to potential sub-national participants. The Subcommittee will draft a letter to the 18 state governors, to be reviewed by the MSG, explaining what EITI is, the current context, and what will be needed for the first two reports. One aspect of the reports is reporting on sub-national data, including through publicly-available data. The letter would also propose engaging with the governors on the process of identifying publicly-available data and, in response, the governors would hopefully identify key contact persons to work with USEITI. The letter would also include a suggestion for what enhanced participation might look like in the future for the states. Mr. Conrad reiterated that the Subcommittee wants to frame the letter and USEITI participation as a light-touch, without emphasizing the need for reconciling data. States already have auditing functions in many cases, and this may suffice for reconciliation purposes.

Mr. Conrad also said that the Subcommittee will continue to collect publicly-available data for the eighteen states. In addition, Mr. Conrad asked MSG members to communicate to the Subcommittee any key contacts who deal with revenue matters in the 18 states. Mr. Conrad added that, if the MSG decides that USEITI must secure cooperation and buy-in from some key states for EITI compliance, then that may be a separate effort to explore in the future, as needed.

Finally, Mr. Conrad stated that a similar approach to state opt-in could be pursued with tribes, acknowledging that some different nuances and political realities would need to be considered.

MSG members had the following comments in response to Mr. Conrad's remarks (*responses are indicated in italics*):

- Ms. Veronica Slajer, North Star Group, suggested that in the spirit of transparency and inclusion, it may make sense to send the letters to states other than the 18 identified states explaining EITI and offering the opportunity to opt-in.
- Ms. Rhea Suh, DOI, said that the proposal on the table is very solid. She noted that sub-national participation is an area in which there has already been some misinformation and skepticism among some states. She asked whether the MSG could pursue a dual strategy that also identifies the people in the states who have some responsibility for revenue matters and begin discussions with them to socialize the concept with them.
 - *Ms. Danielle Brain, Project on Government Oversight, responded that while it is relatively straightforward to reach the key players in the government and industry sectors, the CSO sector is less organized and the MSG will need to do some work to reach the CSO sectors in each state.*
 - *Mr. Greg Conrad, Interstate Mining Compact Commission, added that the Subcommittee has begun identifying government officials in the states who could be contacts.*
- Ms. Rhea Suh, DOI, asked whether there is a state that could be presented as a model and demonstrate that EITI works in order to help dispel concerns among the states.
 - *Ms. Danielle Brain, Project on Government Oversight, said that Wyoming has already agreed to proceed down this road and that Mike Matthews, State of Wyoming, is in contact with his governor about EITI.*
 - *Mr. Greg Conrad, Interstate Mining Compact Commission, added that, beyond Wyoming, other states that have expressed some interest in EITI are New Mexico, Alaska, and California.*
- Ms. Rhea Suh, DOI, suggested that the Subcommittee try to find out more about what USEITI will need to do to meet the adapted implementation requirements.
 - *Ms. Danielle Brain, Project on Government Oversight, responded that USEITI will find "the coalition of the willing" that wants to participate. She said that the Subcommittee realized that defining "opt-in" may not be as big of a hurdle as the Subcommittee had previously been thinking. For example, a state could simply say that providing its publicly-available data constitutes opting in. So, at least to start, that could be all that is needed to meet EITI requirements.*
- Mr. Jim Roman, ConocoPhillips, suggested that, for the benefit of the International Secretariat, the contextual narrative could speak to the robustness

of the audit process at the state level by, for example, capturing the number of staff that are involved in state audit processes. Illustrating the robustness of the audit process may help to demonstrate that reconciliation would have very little additional value.

- *Ms. Danielle Brain, Project on Government Oversight, added that the Subcommittee learned from Mike Matthews, State of Wyoming, that, in addition to an annual internal audit, an independent CPA audits revenue figures.*
- *Mr. Greg Gould, DOI, added that the process is the same at the federal level.*
- Ms. Deborah Rogers, Energy Policy Forum, suggested that maybe the MSG does not need to walk on eggshells with regard to state opt-ins as it could be a very symbiotic process.
- Ms. Veronica Slajer, North Star Group, suggested that it would likely be more of a campaign to secure sub-national involvement. The MSG could do a stakeholder-mapping exercise to reach out to the appropriate contacts in different states and tribes, and this could supplement the letters that the MSG will be sending out.
- Mr. Michael LeVine, Oceana, requested that the Opt-In Subcommittee keep track of which state-level contacts have already been reached out to in order to coordinate outreach among MSG members.
- Ms. Danielle Brain, Project on Government Oversight, noted that the draft letter to state governors would be available at the September MSG meeting.

Communications and Outreach Subcommittee:

Ms. Veronika Kohler, National Mining Association, explained that the Subcommittee did not meet the previous afternoon so that its members could participate in the meetings of the other Subcommittees and receive some direction from their work. She recapped the discussions from the previous day related to the Communications and Outreach Subcommittee, noting that the MSG and DFO had approved the Dear Payor letter, which ONRR will send out by the end of June. A Dear Reporter letter will be sent out by December. A new communications working group, lead by Jerry Gidner, DOI, will work with the Opt-in Subcommittee to draft the letter for State Opt-ins.

Implementation Subcommittee:

Mr. Greg Gould, DOI, reported on the previous afternoon's meeting of the Implementation Subcommittee. The Subcommittee produced the following action items:

Action Items for the Taxes & Reporting Period Working Group:

- Create list of questions to ask the International Secretariat
- Brainstorm options for reporting taxes
- Develop a proposal regarding use of calendar year versus fiscal year
- Define risks associated with different options for both taxes and reporting period

- Develop mechanics of gathering and reporting tax data

Action Items for the Company & Project-level Reporting Working Group:

- Better understand how USEITI data will be used at a state and local level
- Identify specifics regarding Trade Secret Act concerns
- How the Dodd-Frank Section 1504 process affects the decision on project level
- The potential to achieve equivalency with existing EU law
- The precedents the USEITI process may set
- How the level of reporting may affect the complexity and use of the USEITI reconciled report

Mr. Brent Roper, Rio Tinto, summarized a key theme, and concern, that emerged from the previous day's discussion: The working group has been developing a proposal that reports on taxes paid annually for a consolidated group return. Because the tax system allows companies to consolidate their tax returns for all companies in which they hold an 80% or greater stake, US and foreign activities, and extractive and non-extractive activities, are all lumped together in one consolidated tax return. It's kind of like having a vegetable soup and having someone say "I just want to see the carrots." It would be administratively difficult for companies to pull out the appropriate data for US-based extractive activity. It would be even harder for the government to try to pull out the data. And if both a company and the government were to try it, the company data and the government data likely would not match up. So the working group, and the MSG, need to ask whether the data that we could provide would meet the spirit of EITI. And if the answer to that is no, then we need to ask whether it is worth the significant effort that will be required to do this.

Mr. Greg Gould, DOI, thanked Mr. Roper for his summary and stated that the Taxes & Reporting Period Working Group will continue to work on this issue. Mr. Gould also asked Ms. Marti Flacks, US Department of State, to speak about how other countries have handled the issue of aligning reporting periods.

Ms. Marti Flacks, US Department of State, told the MSG that all EITI countries have reported on the same 12-month period and all countries have reconciled tax data. She suggested that the MSG approach the issue from the perspective of "how can we make the data useful for the American public" rather than thinking about how difficult it would be to achieve compliance from companies. Ms. Flacks noted that, in contrast to the current issue, the previous year she advised the MSG to set the standard for materiality at a level that would be feasible to carry out. But USEITI does not have the same flexibility on these issues of aligning around one reporting period and of reporting and reconciling taxes. She noted that there are countries that are taking significant steps to collect and reconcile tax data, including knocking on doors, passing laws, and revoking licenses for non-compliance. Not all of those steps are appropriate in the US context, but that is what is happening in the international context.

- *Ms. Veronika Kohler, National Mining Association, responded that balancing between the international and US contexts is important, and asked whether the MSG can identify its own threshold for reporting taxes.*
- *Ms. Marti Flacks, US Department of State, responded that USEITI cannot identify its own threshold for reporting taxes. Once USEITI has defined a revenue stream as within scope, then it needs to report on the taxes and, in theory, reconcile the taxes, from that revenue stream.*
- *Ms. Veronika Kohler suggested that the MSG will need to discuss who will be the main communicator on these issues, because in many countries it's the government, but the US Government may not be comfortable playing that role.*

Mr. John Harrington, Exxon Mobil, added that, in the US, not only will companies have to report their tax data, but they will also have to give the IRS permission to release their tax data, neither of which they have done in the past.

Mr. Greg Gould, DOI, closed by laying out the Implementation Subcommittee's timeline leading up to the September MSG meeting:

- June 18 - Subcommittee meeting to review task list and timeline
- July 9- Subcommittee check-in meeting
- July 16 - Working groups submits first draft of materials to Subcommittee
- July 25 - Subcommittee reviews and provides comments back to working groups
- July 30 - Working groups incorporate comments and request additional guidance, as needed
- Aug 8 - Working groups submit revised draft of materials to Implementation Subcommittee
- Aug 13 - Subcommittee reviews and provides final comments to working groups
- August 20 – Workgroup Overviews of Final Materials and Final Subcommittee Review
- Aug 27 - Final Subcommittee approval of materials

Contextual Narrative Working Group:

Mr. Aaron Padilla, American Petroleum Institute, provided an update on the Contextual Narrative Working Group's progress. He noted that in the previous afternoon's discussions, he had represented the industry sector's perspective; Ms. Betsy Taylor, Virginia Polytechnic Institute and State University, and Mr. Keith Romig, United Steelworkers, had represented the civil society sector's perspective; and Mr. Jerry Gidner, DOI, had represented the government sector's perspective.

The discussion summary provided below will document comments made by MSG members about the Contextual Narrative outline. The most up-to-date version of the Contextual Narrative outline can be found at the following URL:

http://www.doi.gov/eiti/FACA/upload/2014_06_08_Contextual-Narrative-matrix_WG10Jun14clean.pdf.

Mr. Aaron Padilla stated the working group members had agreed on the following language describing the strategy to fulfill Requirement 1.1-1.3: “High level, brief summary of these activities through application captured in detail in the Application, and Work plan, with a brief summary of relevant public comments with appropriate links to the actual documents.”

- Ms. Veronika Kohler, National Mining Association, suggested that this text be flagged as “recommended / encouraged” for the contextual narrative.
- Ms. Betsy Taylor, Virginia Polytechnic Institute and State University, suggested that the text in question could be considered to be required for the contextual narrative under Requirement 7, which calls for documentation of the MSG’s process.

Mr. Michael LeVine, Oceana, expressed concern about being asked to approve or object to language that he had not previously had an opportunity to review. MSG members discussed the process of review for the contextual narrative outline and agreed that they would move forward with reviewing the outline but that members could say that they were not yet ready to make a decision on the text for a given Requirement.

For Requirement 3.2a (first section of outline):

- Mr. Curtis Carlson, Department of the Treasury, stated that “percentage depletion allowance” is not an example of “deferred revenues,” and that this would need to be changed.
- Ms. Danielle Brain, Project on Government Oversight, expressed concern that the revised language did not capture “fair market value,” which is different than “valuation.” She added that, while the phrases included or excluded are only examples, she strongly felt that if specific examples are not articulated in the outline, they would not end up being included in the final text.
- Mr. Michael LeVine, Oceana, suggested that the section be moved back to “orange” (text designated as unresolved).

For Requirement 3.2a (second section of outline):

- Ms. Betsy Taylor, Virginia Polytechnic Institute and State University, suggested that the word “pathways” be changed to “pathfinders.”
- Ms. Marti Flacks, US State Department, and Ms. Veronika Kohler, National Mining Association, suggested that the meaning of “exemptions for certain commodities” be clarified.
- Mr. Mike Matthews, State of Wyoming, suggested that a link could be provided to a location that contains the relevant guidelines for each of the included states since the guidelines could evolve over time.

For Requirement 3.4d:

- Ms. Betsy Taylor, Virginia Polytechnic Institute and State University, noted that there are other credible sources for employment data beyond the US Census and US Bureau of Labor Statistics.

- Mr. Aaron Padilla, American Petroleum Institute, responded that the working group had agreed to include only those two sources.
- Mr. Michael LeVine, Oceana, suggested that only direct employment be included.
- Ms. Susan Ginsberg, Independent Petroleum Association of America, expressed concern that “availability and feasibility of indicators of job characteristics” could be subjective and asked how other EITI reports had dealt with this.
- Ms. Marti Flacks, US Department of State, responded that, since this is a new EITI requirement, other countries are also grappling with how to fulfill the requirement.
- Mr. Keith Romig, United Steelworkers, responded that data on job characteristics is not subjective. Rather, it is simply data.
- Mr. Pat Field, facilitator from the Consensus Building Institute, suggested that while each job characteristic likely has an objective data source, the question about subjectivity is about which data sources would be cited.
- Ms. Danielle Brain, Project on Government Oversight, asked about the inclusion of full-time and part-time employment data.
- In response, Mr. Aaron Padilla, American Petroleum Institute, said that the working group had agreed to include data about the occupation of workers, not about part-time vs. full-time status.

MSG members discussed strategy and next steps for the contextual narrative outline.

- Ms. Veronika Kohler, National Mining Association, suggested that the language that is “moved to black” (agreed upon by the MSG) will not necessarily be included in the report. Once the MSG moves everything to black, then the MSG can go through each section to determine what is feasible to include in the report. Then, once the first report is published, then the MSG can discuss what sections would be included in subsequent reports. Ms. Kohler emphasized that the language in the contextual narrative is something that the MSG must agree on.
- Mr. Greg Gould, DOI, added that the final version of the contextual narrative outline will be a “wishlist” for the Independent Administrator, who will have to see what is feasible within budget constraints. He also echoed Ms. Kohler in suggesting that the reports will be an iterative process, giving the MSG the ability to adjust the contents of subsequent reports. He also suggested that the online report could include more information than the hard copy report.
- Mr. Paul Mussenden, DOI, added that the Independent Administrator will create an inception report and the MSG will have an opportunity to provide additional guidance on the basis of the inception report.
- Ms. Veronika Kohler, National Mining Association, suggested that the unresolved text for “recommended” sections of the narrative (as opposed to required sections) could be eliminated.
- Ms. Danielle Brain, Project on Government Oversight, and Mr. Greg Gould, DOI, suggested that the differences of opinion among the sectors could be presented

to the Independent Administrator, who may be able to provide a neutral, third party assessment of how to meet the EITI requirements.

- Mr. Aaron Padilla, American Petroleum Institute, Ms. Veronika Kohler, National Mining Association, and Mr. John Harrington, Exxon Mobil, responded that, even with input from the Independent Administrator, the MSG will need to be the final arbiter in making decisions about the content and direction of USEITI reports. Mr. Padilla suggested that this is an issue that may need to be resolved through the fallback decision-making protocol of voting.
- Mr. Greg Gould, DOI, noted that, by the September MSG meeting, the MSG will only need to identify areas of agreement and disagreement, not come to a final decision or a vote. He expressed hope that the MSG would never have to resort to voting in order to make a decision.
- Ms. Danielle Brain, Project on Government Oversight, asked what the MSG's working relationship with the Independent Administrator would look like.
- Mr. Greg Gould, DOI, responded that the Independent Administrator would actively engage with the entire MSG and that all sectors would be actively engaging with the Independent Administrator.

After discussion, the MSG agreed that sector representatives on the Contextual Narrative working group would receive input and guidance from members of their sectors regarding priorities and direction for the contextual narrative. The Contextual Narrative working group would then gather for a facilitated meeting to complete the outline, to the extent possible, with unresolved items being brought back to the MSG.

C.) USEITI Communications Discussion

Mr. Patrick Field, facilitator from the Consensus Building Institute, posed several questions to guide the MSG's discussion around communications. A summary of the discussion pursuant to each question is provided below.

What is the goal or end state that we want to achieve by the issuance of our first report to the U.S public and stakeholders in December 2015?

- Ms. Rhea Suh, DOI, suggested that each sector had a value proposition in agreeing to pursue this initiative. Reflecting back on these reasons for participating in this process, Ms. Suh asked whether the sectors are seeing a positive return on this investment in ways that they had anticipated. She added that the focus should be on these big-picture outcomes, not on newspaper articles and website hits, which are simply outputs.
- Greg Conrad, Interstate Mining Compact Commission, responded to the prompt by saying that the first USEITI report should serve an education function and entice sub-national entities to participate in the USEITI program.
- Ms. Veronika Kohler, National Mining Association, said that the first goal should be being meaningful in the US. That should be our first priority, even if EITI is an international initiative. So, for the first report, our goal would be deriving some

benefits for the US and its citizens (as yet unclear) from the publication of the first report.

- Ms. Betsy Taylor, Virginia Polytechnic Institute and State University, volunteered that she sees USEITI as a platform for new types of conversation among people who have not previously been engaged in these conversations. In particular, this is an opportunity to make these global industries relevant for the local and sub-national level. It can also allow the United States to engage in better long-term planning and invite new communities into the conversation for integrated, long-term planning.
- Mr. Mike Flannigan, Peabody Energy, suggested that the report should be viewed as credible and substantive, which will lead people will accept it.
- Mr. John Harrington, Exxon Mobil, spoke about seeing a more honest, informed discussion among the members of the MSG. If the MSG can issue a report that all members can stand behind, that will be a tremendous achievement. Having a healthy multi-stakeholder dynamic at the end of 2015 would be a great goal.
- Mr. Keith Romig, United Steelworkers, acknowledged that he does not speak on behalf of industry, but suggested that there can be real benefits for industry in terms of understanding the real benefits and costs of the extractives industry in the United States among the public. This better understanding can engender greater trust among industry and other stakeholders.
- Mr. Paul Bugala, Calvert Investments, said that he believes that the MSG can make a report that is meaningful for the US initiative and also contributes to the global standard. The report can contribute to making the value of transparency better understood, including at a global level.
- Ms. Rhea Suh, with contributions by a couple of other MSG members, proposed the following synthesizing statement of the MSG's goal in issuing the first USEITI report at the end of 2015:
"Achieve a concrete demonstration of a new level of transparency in the United States regarding extractives industries' revenues that is credible, substantive, easily understood, engages the public, increases collaboration across sectors, enhances international credibility, and furthers understanding of the extractives industries in the United States."

Given the prior discussion about goals for the first USEITI report, what are our outreach goals for the rest of this calendar year?

- Mr. Greg Gould, DOI, suggested that education should be a primary goal for outreach in 2014, with two specific audiences: education of those companies that will be implicated by ONRR's unilateral disclosure of data in December and informing the smaller subset of companies that will be asked to reconcile revenues with the Independent Administrator in the coming year.
- Ms. Veronika Kohler, National Mining Association, suggested outreach to the 18 states identified by the Opt-In Subcommittee, with more extensive outreach and advocacy to stakeholder groups in perhaps 5 of these states. Ms. Kohler also suggested that Mr. Gould's "education" be changed to "engage with."

- Mr. Paul Mussenden, DOI, suggested that, with limited resources, the MSG should prioritize outreach to priority stakeholder groups. He also suggested that the MSG find a way to communicate the benefits of revenue transparency to the public.
- Ms. Danielle Brain, Project on Government Oversight, mentioned that she had heard that some of the reports from EITI members in Africa had not been very valuable in their countries. Ms. Susan Ginsberg, Independent Petroleum Association of America, expressed concern about this occurring with the USEITI report. Mr. Paul Bugala, Calvert Investments, and Ms. Veronika Kohler, National Mining Association, suggested that the lack of value may have less to do with the report itself than with the limitations of the civil society sectors in those countries in participating in the process and in using the reports. Mr. Bugala suggested that the USEITI Secretariat could look into this issue further.

Who are our key audiences?

MSG members identified the following stakeholder groups for outreach:

- Companies affected by unilateral disclosure (approx. 550)
- Companies affected by initial reconciliation (approx. 50)
- Eighteen states identified by EITI MSG with multiple-extractives interests
- Five of the eighteen states named above
- 30 to 40 energy producing tribes
- State Fiscal Analysis Initiative (SFAI)
- Council of Petroleum Accountants Societies (COPAS)
- National Association of Royalty Owners (NARO)
- National Association of Counties (NACO)
- Western Governors' Association (WGA)
- State & Tribal Royalty Auditing Committee (STRAC)
- Civil society organizations at the local level
- Investigative News Network
- Bloomberg News

What is the role the Communications Subcommittee in this? Who is doing what?

- Ms. Danielle Brain, Project on Government Oversight, suggested that a USEITI letterhead be created for important communications. Additional MSG members echoed the sentiment that there should be a vehicle for the MSG, as a whole, to communicate with external stakeholders.
- Mr. Greg Gould, DOI, responded that the Department's legal team is looking into the possibility of creating a joint, USEITI letterhead under the restrictions of the Federal Advisory Committee Act (FACA).
- Mr. Mike Flannigan, Peabody Energy, suggested that a Congressional oversight hearing about external communications from USEITI could help with the communications challenge, although there would be some pros and cons of taking that route.

- Ms. Susan Ginsberg, Independent Petroleum Association of America, stated that not all communications should come from the MSG. Particularly since the government is the driving force behind USEITI, some communications should come from them.
- Ms. Betsy Taylor, Virginia Polytechnic Institute and State University, reflected that the group is talking about multiple models and paths. She suggested that there are also more participatory models for public engagement, such as charrettes, which are used in the architecture and transportation industries, allow people to apply information to their own context.
- Ms. Veronika Kohler, National Mining Association, emphasized that the Communications Subcommittee needs guidance from the MSG about who the Dear Payor should come from.
 - Ms. Deborah Rogers, Energy Policy Forum, suggested that it should come from the MSG on EITI letterhead since that would present a more benign message than just coming from the government.
 - Ms. Veronika Kohler, National Mining Association, explained that the Industry sector has been engaging with companies for some time, but has not provided details about what the ask is of companies because the sector does not feel comfortable asking companies to participate in USEITI. Ms. Kohler suggested that maybe the Dear Payor letter should come from the Obama Administration, since the Administration signed up the US to implement EITI.
 - Ms. Susan Ginsberg, Independent Petroleum Association of America, suggested that, if letters are directed at company CEOs, they should come from someone with stature, such as Secretary Jewell, in order to get the requisite attention from the companies.
 - Mr. Greg Gould, DOI, said that the Dear Reconciler letter realistically will not be sent until January or February of 2015. He and Mr. Paul Mussenden, DOI, will consider recommendations produced by the Communications Subcommittee around external communications from the MSG. He explained that the legal considerations that he and Mr. Mussenden are trying to navigate is that the Federal Advisory Committee (the USEITI MSG) is advising the Department of Interior and can advise the Secretary of Interior to take an action, such as sending a letter, but the MSG cannot itself direct anybody to take any action, such as sending a letter.

D.) Updated Country Work Plan

Mr. Greg Gould, DOI, recounted that the MSG received feedback from the International EITI Board that the USEITI workplan needs additional detail to be fully costed-out. He also noted that EITI released an updated guidance note in April 2014, which will have to be reflected in the updated USEITI workplan.

Mr. Chris Mentasti, DOI, reviewed the workplan for the benefit of the MSG, noting that it contains four components: background, funding and resource constraints, links to other reform processes, and the workplan itself. Mr. Mentasti explained that the workplan contains a built-in monitoring mechanism by which items that have been completed are grayed-out, and he noted that two columns – “Outcomes” and “Cooperation partners and links to other reform processes” – had been added as compared to previous versions of the workplan.

Mr. Greg Gould, DOI, put forward a motion that a Workplan Working Group be formed under the Implementation Subcommittee to push work forward on revising the workplan. Ms. Danielle Brain, Project on Government Oversight, seconded the motion. The following representatives will constitute the new working group: Johanna Nesseth, Chevron Corporation; David Goldwyn, Goldwyn Global Strategies; and Chris Mentasti, DOI.

- **Decision: The MSG created the Workplan Working Group under the Implementation Subcommittee.**

VI. Day 2 Public Comment: June 11, 2014

The following public comments were made on June 11, 2014:

- Mr. David Garcia, Publish What You Pay – US, read the following statement on behalf of Jana Morgan, National Coordinator of Publish What You Pay – US:
Good afternoon. On behalf of the Publish What You Pay – United States (PWYP-US) coalition, I would like to thank you for the opportunity to submit a statement on the US Extractive Industries Transparency Initiative (EITI) process. PWYP is a global civil society coalition with over 800 members from 70 countries, working toward a more transparent and accountable extractive sector. The US coalition consists of 38 faith-based, anti-corruption, human rights and tax-justice organizations.
Publish What You Pay’s members were closely involved in the establishment of the EITI, and sit on multi- stakeholder groups around the world, as well on as the EITI board.
I write today to encourage the USEITI Multi-Stakeholder Group (MSG) to ensure that a rigorous definition of ‘project’ is adopted by the MSG and is in line with the new EITI standard. The new EITI standard requires the definition of ‘project’ to be based on that of the European Union (EU) Accounting and Transparency Directives and the implementing regulation for Section 1504 of the Dodd-Frank Act.
It is important to note that the new EITI standard does not allow for companies to report anonymously. In fact, Clare Short, Chair of the EITI Secretariat, recently stated in a May 20 letter to the editor in the *Wall Street Journal* that “[t]he 44 countries that are implementing the EITI Standard have all committed to disclose payment information for individual companies. The vast

majority already do so. In the 44 EITI countries, all companies, including Russian ones, are transparent about such payment information.”

The definition of project must be sufficiently granular so as to be useful to communities and fulfill the aims of the EITI. An April letter to the Securities and Exchange Commission signed by over 500 civil society organizations from around the world demonstrates the real demand for granular, project-level information. Project-level information is also crucial when analyzed as part of the contextual narrative so that Americans can determine for themselves the true costs and benefits of resource extraction on Federal lands.

PWYP-US recommends adopting a definition of project that aligns with the European Union (EU) Accounting and Transparency Directives, the August 2012 rule for Section 1504, and the recommended definition from Canada’s Resource Revenue Transparency Working Group. These comparable definitions define project in sufficiently granular terms and reflect what has become the global standard.

By adopting a definition of project similar to that agreed upon by Canada and the EU’s 28 member states, companies will be spared the burden of having to navigate multiple disparate disclosure regimes.

We encourage the USEITI MSG to look at many recent and important precedents to inform your deliberations. For example, granular, project-level reporting is happening in other EITI countries, such as Indonesia, where companies report payments in line with the EU project definition. In March, Tullow Oil published its payments at the project-level in line with the EU definition as well, and the UKEITI has adopted a project reporting definition that is worth examining.

It is clear that a global standard has developed around project-level reporting. The United States must match that standard or risk that the USEITI is seen merely as a box-ticking exercise, rather than an important step toward greater transparency and good governance in the extractive industries.

Thank you for the opportunity to submit this comment.

Mr. Paul Mussenden, Acting DFO, adjourned the meeting at 3:40 pm.

VII. Meeting Participants

The following is a list of attendees from the June 10-11, 2014 EITI meeting.

Chaired by Rhea Suh, Designated Federal Officer for the USEITI Advisory Committee, U.S. Department of the Interior.

Participating Committee Members

Civil Society

Danielle Brian, Project on Government Oversight, USEITI MSG Advisory Committee Co-Chair

Paul Bugala, Calvert Investments
Michael LeVine, Oceana
Deborah Rogers, Energy Policy Forum
Keith Romig, Jr., United Steelworkers
Michael Ross, Revenue Watch Institute
Veronica Slajer, North Star Group

Government

Curtis Carlson, Department of the Treasury
Greg Conrad, Interstate Mining Compact Commission
Greg Gould, Department of the Interior, USEITI MSG Advisory Committee Co-Chair

Industry

Phillip Denning, Shell Oil Company
Mike Flannigan, Peabody Energy
Susan Ginsberg, Independent Petroleum Association of America
Veronika Kohler, National Mining Association, USEITI MSG Advisory Committee Co-Chair
Aaron Padilla, American Petroleum Institute
Robert Reynolds, BP America
Brent Roper, Rio Tinto

Committee Alternates in Attendance

Civil Society

David Goldwyn, Goldwyn Global Strategies, LLC
Rebecca Morse, Revenue Watch Institute
Laura Sherman, Transparency International - USA
Betsy Taylor, Virginia Polytechnic Institute and State University

Government

Mike Matthews, State of Wyoming
Debbie Tschudy, Department of the Interior

Industry

Nick Cotts, Newmont Mining
John Harrington, Exxon Mobil Corporation
Amanda Lawson, Walter Energy Inc.
John Sardar, Noble Energy Inc.

Government and Members of the Public in Attendance

Tawny Bridgeford, National Mining Association
Ernesto Chavez, Office of Natural Resources Revenue

Rosita Christian, Office of Natural Resources Revenue
Shirley Conway, Office of Natural Resources Revenue
Ryan Ellis, Interstate Mining Compact Commission
Marti Flacks, US State Department
Jerry Gidner, Department of the Interior
Cory Gill, Goldwyn Global Strategies, LLC
Jennifer Goldblatt, Department of the Interior
Anita Gonzales-Evans, Office of Natural Resources Revenue
Michelle Hertzfeld, Office of Natural Resources Revenue
Sally Jewell, Department of the Interior
Melissa Leiden, Project on Government Oversight
Chris Mentasti, Office of Natural Resources Revenue
Paul Mussenden, Office of Natural Resources Revenue
Johanna Nesseth, Chevron Corporation
Charles Norfleet, Bureau of Ocean Energy Management
Kim Oliver, Office of Natural Resources Revenue
Mia Steinle, Project on Government Oversight
Jon Swedin, Office of Natural Resources Revenue
Katie Sweeney, National Mining Association
Lance Wenger, Department of the Interior's Office of the Solicitor
Judy Wilson, Office of Natural Resources Revenue
Stephen Winstanley, Institute for Multi-Stakeholder Initiative Integrity

Facilitation Team

Patrick Field, Consensus Building Institute
Tushar Kansal, Consensus Building Institute
Rachel Milner Gillers, Consensus Building Institute

VIII. Documents Distributed

- Agenda ([PDF](#))
- April 23-24, 2014 MSG Meeting Summary/Minutes - Draft ([PDF](#))
- EITI Workplan Guidance ([PDF](#))
- Communications & Outreach Presentation ([PDF](#))
- Draft Dear Payor Letter ([PDF](#))
- Tax Presentation ([PDF](#))
- Project Level Presentation ([PDF](#))
- Reporting Period Presentation ([PDF](#))
- State Opt In Presentation ([PDF](#))
- Wyoming Public Data Presentation ([PDF](#))
- Contextual Narrative Presentation ([PDF](#))
- Contextual Narrative Requirements ([PDF](#))
- Contextual Narrative/Publicly Available Data Mid-Meeting Refinement ([PDF](#))
- Implementation Subcommittee Action Items ([PDF](#))

- MSG Action Item Slides ([PDF](#))
- Dear Reporter Letter ([PDF](#))
- Communications Discussion Slides ([PDF](#))

IX. Certification

Interested parties are asked to contact USEITI at useiti@ios.doi.gov or 202-208-0272 with any questions, comments, or concerns regarding the content of this meeting summary.